

**Remarks by NGOs at side-event with the High Commissioner for Human Rights, Monday 16<sup>th</sup> July 2012**

Thank you Madam Ambassador and Madam High Commissioner for your pertinent remarks.

My name is Jose Luis Diaz and I am making this statement on behalf of my own organization, Amnesty International, and 10 other non-governmental organizations who have been following the treaty body strengthening process. We have been invested in this process because of our shared goal of wanting individuals to better enjoy their rights under the international human rights treaties. Due to the late confirmation of arrangements for these consultations, most of our NGO partners on this issue are unable to be here to contribute. This is our preliminary response to the High Commissioner's report.

The **comprehensive calendar** proposal is underpinned by important principles of transparency, predictability and the fair treatment of states, in that all states parties will undergo regular review. Advance notice of state reviews impacts on civil society's ability to engage with the system, including through national consultations. Further, the calendar imposes no new obligations on states. Bearing in mind the principles underlying the master calendar, we believe it is also important to consider alternative models for scheduling reviews.

On the **reporting process**, our experience so far of using the "list of issues prior to reporting" has been a positive one. It will be important to see how the process applies to those committees who oversee the implementation of more comprehensive treaties. There is scope to make concluding observations more precise, focused, specific, measurable and relevant. While this may lead to a reduction in their length, we are not convinced that such reduction should be the starting point for looking at how to strengthen concluding observations. Similarly, we do not support proposals aimed at reducing the dialogue or review of states parties by committees.

We hope that the treaty bodies, in consultation with NGOs, will identify the most effective model of NGO participation in their work, taking into account practicalities, costs and ensuring time for in-depth discussion. A critical factor for NGOs briefing committees in advance of reviews of states parties is that their formal and informal meetings with the treaty bodies be held in private. Private briefings are a key aspect of ensuring that those who interact with the treaty bodies are not put at risk of reprisals. In that respect, we welcome the report's focus on the issue of reprisals and look forward to the further elaboration of appropriate 'mechanisms for action'. The establishment of a treaty body focal point would be a positive first step in that direction.

This process must respect the independence of the treaty bodies to decide their own **methods of work** through their rules of procedure. The adoption by the chairs of guidelines on independence builds on the existing practice of the treaty bodies to take steps to ensure their independence, for example, the adoption in 1998 of guidelines by the Human Rights Committee. We hope that states will explore the idea of national processes for the selection of candidates and of an "open public space" prior to elections. We note that neither proposal runs counter to the responsibility of states parties to propose and elect candidates. On individual communications, we support proposals for the adoption of common guidelines on handling of communications and the formulation of specific remedies to redress violations. A follow-up procedure to promote implementation of views should be established and receive dedicated secretariat support.

One recommendation not reflected in the High Commissioner's report is that of holding some reviews in-region or in-country. We also hope that steps will continue to be taken to work towards universal ratification of the core human rights treaties. We support the High Commissioner's proposals for webcasting, video-conferencing and use of other modern technologies. Where in use already, we believe these are having a positive impact on raising awareness of, and increasing engagement with, the treaty bodies.

As regards **capacity to implement**, we welcome the emphasis placed on the creation of national mechanisms, where these do not exist, to prepare reports and to implement treaty body recommendations.

Madam Ambassador,

The need for adequate and permanent **resources** to advance many of the report's recommendations is clear and we have not heard any state contest this. We encourage all states to commit to considering what additional funding could be found to support the treaty body system.

Finally, we are actively considering the report's recommendations to NGOs.

Thank you.

*Advocates for Human Rights, Amnesty International, Centre for Civil and Political Rights, Centro de Estudios Legales y Sociales, Human Rights Watch, International Commission of Jurists, International Rehabilitation Council for Torture Victims, International Service for Human Rights, Open Society Justice Initiative, Quaker UN Office, Geneva and International Women's Rights Action Watch (Global).*